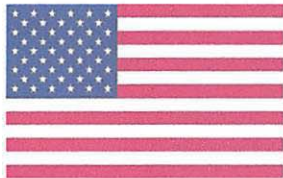


Leonitus Jabir Bey [Pro Se]

(Querentis / Plaintiff / Movant)

v.



THE COMMONWEALTH OF MASSACHUSETTS, THE CITY OF
LOWELL, William Samaras, Raymond Kelly Richardson, Charles Duane
Baker Jr., Stacey J. Fortes, David Allen Pender, Peter J. Koutoujian, et alia

(Defendants – Joint Tort-Feasors and Several Liability)

COMMON LAW COURTESY

In the event that the Court finds that this complaint is not legible or concise with international, constitutional and the common law, we are requesting that the Court notify the movant of such finding, along with reference to the issues presented in this affidavit, as well as give the movant the opportunity to file this Complaint after the appropriate amendments are made.

Tort Claim

JURISDICTION OF THE COURT

Jurisdiction of this court is invoked over the defendants pursuant to United States Codes Title 18 § 1091(e) and Title 28 § 1332;

(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between—

(1) citizens of different States;

(2) citizens of a State and citizens or subjects of a foreign state, except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State;

(3) citizens of different States and in which citizens or subjects of a foreign state are additional parties; and

(4) a foreign state, defined in section 1603(a) of this title, as plaintiff and citizens of a State or of different States.

And;

Article III clause 2 of the American Constitution of 1791;

Section 1.

The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2.

*The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party;--to controversies **between two or more states;--between a state and citizens of another state;--between citizens of different states;--**between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and **foreign states, citizens or subjects.***

*In all cases affecting ambassadors, other public ministers and **consuls**, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.*

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

JURY TRIAL

Movants are respectfully demanding a trial by jury and not a bench trial, consisting of jurists of both Moors and citizens of the United States, pursuant to the bill of rights and in accord with international law. This demand is being made in order to address specific articles violated in the treaty by an impartial jury, consisting of citizens from both nations.

LIABILITY OF DEFENDANTS

Below is the certified mail receipt and domestic return receipts from the United States Post Office of officials from the United States, who have received official notice of the Moorish Consulates existence and the certified mail receipt numbers that they and / or their agents have signed for;

- 1) Donald Trump – PRESIDENT OF THE UNITED STATES. Certified Mail numbers: Domestic Receipt numbers: 9505 5127 5211 8158 2581 92. Notified on 6/11/2018.
- 2) Richard Michael Pompeo – THE SECRETARY OF THE UNITED STATES. Certified Mail numbers: Domestic Receipt numbers: 9505 5127 5211 8158 2581 92. Notified on 6/11/2018.
- 3) Jefferson B Sessions – THE UNITED STATES ATTORNEY GENERAL. Notified on 6/11/2018.
- 4) John Roberts – CHIEF JUSTICE OF THE UNITED STATES SUPREMEM COURT. Notified on 6/11/2018. *Et alia*

These notifications are for the publics review on:

<https://storage.googleapis.com/wzukusers/user-32092105/documents/5bc6b274e81d9XuLZmVh/Notice%20of%20Moorish%20American%20Consulate%20and%20Orders.pdf>

The aforementioned 'State Officials' are in direct violation of Nature's God and Nature's Law along with Article III and VI of the Constitution for the united States of America; to include violations of the International Peace Treaty between the Moors of North America (North West Africa) and the United States of America, 1786-1787 (The Barbry Treaties).

RELIEF / REMEDY / RECOURSE / SETTLEMENT SOUGHT

Pursuant to Federal Law 28 U.S. Code § 2672 and 18 U.S. Code § 1091, we will accept as settlement / remedy / recourse / reparation, \$9,000,000, in cash/legal tender, as remedy for the result of the tort and acts of genocide perpetrated against the Moors.

INJURY

For violating the Moorish American national, Leonitus Jabir Bey, on 01/22/2019 at approximately 1813hrs. On this day Leonitus Bey was traveling on school street and was unlawfully pulled over by Lowell Police. Leonitus then informed the agents of Lowell that he was a Moorish American and handed him his nationality documents.

Leonitus Jabir Bey was then processed under the name LEON CAMPBELL in order for your courts to defraud him and claim jurisdiction over his body (Personam Jurisdiction). See **Exhibits A1 – A16**

18 U.S. Code § 1091(e) - Genocide

(a)BASIC OFFENSE. —*Whoever, whether in time of peace or in time of war and with the specific intent to destroy, in whole or in substantial part, a national, ethnic, racial, or religious group as such—*

- (1) kills members of that group;*
 - (2) causes serious bodily injury to members of that group;*
 - (3) causes the permanent impairment of the mental faculties of members of the group through drugs, torture, or similar techniques;*
 - (4) subjects the group to conditions of life that are intended to cause the physical destruction of the group in whole or in part;*
 - (5) imposes measures intended to prevent births within the group; or*
 - (6) transfers by force children of the group to another group;*
- shall be punished as provided in subsection (b).*

(b)PUNISHMENT FOR BASIC OFFENSE. —*The punishment for an offense under subsection (a) is—*

- (1) in the case of an offense under subsection (a)(1), where death results, by death or imprisonment for life and a fine of not more than \$1,000,000, or both; and*
- (2) a fine of not more than \$1,000,000 or imprisonment for not more than twenty years, or both, in any other case.*

(c)INCITEMENT OFFENSE. — *Whoever directly and publicly incites another to violate subsection (a) shall be fined not more than \$500,000 or imprisoned not more than five years, or both.*

(d)ATTEMPT AND CONSPIRACY. — *Any person who attempts or conspires to commit an offense under this section shall be punished in the same manner as a person who completes the offense.*

(e)JURISDICTION. —*There is jurisdiction over the offenses described in subsections (a), (c), and (d) if—*

- (1) the offense is committed in whole or in part within the United States; or*
- (2) regardless of where the offense is committed, the alleged offender is—*

(A) *a national of the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));*

(B) *an alien lawfully admitted for permanent residence in the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));*

(C) a stateless person whose habitual residence is in the United States; or

(D) present in the United States.

(f) NO APPLICABILITY OF CERTAIN LIMITATIONS.—

Notwithstanding section 3282, in the case of an offense under this section, an indictment may be found, or information instituted, at any time without limitation.

SUPPORTIVE CLAIM OF LIABILITY OF DEFENDANTS

It becomes clear to any reasoning mind after reading that attached Exhibits that the acts of the various City and State agents fall within the definition of genocide. It is clear that all free national beings have the right to travel and a right which is free and open to all is not subject to a license nor tax. Yet the agents mentioned in the Exhibits clearly displayed a blatant disregard to all persons natural rights and by targeting one Moorish American it in deed subjects our group to conditions of life that are intended to cause the physical destruction of our nation in whole or in part.

The aforementioned persons placed on notice have all taken an oath or have a certificate of engagement to support and defend the constitution. Based on the Exhibits referenced it is clear that the aforementioned persons are in direct violation of both state and federal constitutions.

All persons in government are official trustees, charged with the duties of serving the public and securing rights. The Constitution for the United States of America and its '*Republican form of government*' is a contract to promise the safeguard of all Birth rights, inalienable rights, and unalienable rights; Which is in fact, governments duty to mankind, as chartered in the;

Declaration of Independence

"...the Laws of Nature and of Natures God..."

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,"

All persons in government or otherwise acting as government officials, must take a sworn or affirmed oath to support and defend both the State and Federal Constitution for the United States of America per **Article (6) VI Clause 3**.

The Constitution for the United States of America

Article VI (Article 6 - Prior Debts, National Supremacy, Oaths of Office)

3. "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution;"

Massachusetts Constitution

Chapter III. JUDICIARY POWER.

Article I.

The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Chapter VI, OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS;

THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Article I.

[Any person chosen governor, lieutenant governor, councilor, senator or representative, and accepting the trust, shall before he proceeds to execute the duties of his place or office, make and subscribe the following declaration, viz.--

"I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seized and possessed, in my own right, of the property required by the constitution as one qualification for the office or place to which I am elected."

And the governor, lieutenant governor, and councilors shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution, and forever afterwards before the governor and council for the time being.]

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.--

["I, A. B., do truly and sincerely acknowledge, profess, testify and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever: and that I do renounce and abjure all allegiance, subjection and obedience to the king, queen, or government of Great Britain, (as the case may be) and every other foreign power whatsoever: and that no foreign prince, person, prelate, state or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever -- So help me, God."]

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as: according to the best of my abilities and understanding, agreeably, to the rules and regulations of the constitution, and the laws of this commonwealth -- So help me, God."

Provided always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words ["I do swear," "and abjure," "oath or," "and abjuration" in the first oath; and in the second oath, the words] "swear and," and [in each of them] the words "So help me, God;" subjoining instead thereof, "This I do under the pains and penalties of perjury." [See Amendments, Art. VI.]

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant governor, and councilors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being: and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature. [See Amendments, Arts. VI and VII.]

It is in violation of the oath taken by all public official's, as well as a violation of ethical conduct for any person in government upon notification of a violation or the attempted violation of a constitutionally secured right by other members in or otherwise acting as government. In harmony with the Laws of Nature and of Nature's God, a reference from;

The Holy Koran of the Moorish Holy Temple of Science Circle 7

Chapter III – The Unity of Life

2. "No man lives unto himself, for every living thing is bound by cords to every other living thing."

All living beings are connected; as long as one natural person's birth rights are being violated and no remedy or recourse is warranted from those whom hold the official seats of government, it

stands as 'Prima facia evidence' that those elected officials are in breach of their fiduciary duties and not adhering to the highest ethical standards to which mankind should expect of persons holding those honorable positions, as supported by the Commonwealth of Massachusetts Constitution expressing religious freedom as well as other articles in said constitution supporting the moral conduct of elected officials.

PART THE FIRST

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts

Article I.

All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Article II.

It is the right as well as the duty of all men in society, publicly, and at stated seasons to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship

It is the duty of all persons holding seats in the Executive branch of government to enforce law and they have failed. Not only this, but, if the agents of THE COMMONWEALTH OF MASSACHUSETTS and CITY OF LOWELL would have abided by their own laws, the Moorish nation would not have sustained an injury due to the negligence of the agents of THE COMMONWEALTH OF MASSACHUSETTS. Leonitus Bey clearly stated to the agents of THE COMMONWEALTH OF MASSACHUSETTS, both State level and Municipal, that they were Moorish and not citizens of Massachusetts, therefore presenting the issue of diversity and all subsequent actions could have been avoided if your government, i.e. the officials of THE COMMONWEALTH OF MASSACHUSETTS e.g. Charles Duane Baker Jr. enforced the law and abided by the Constitution and Treaty by notifying Federal Officials that one of their citizens has or had an issue with a Moor and subsequently notifying a Consul of the Moorish national government. **See Exhibit A4.**

It is evident in the Mayor of the City of Chicago Rahm Emanuel's proclamation dated December 22, 2011, that Moors, also known as Moorish Americans, are ipso facto and ipso jure the aboriginal (jus sanguine) and indigenous (jus soli) peoples of North America and cannot be citizens of any of the Colonial States of the Union known as 'The United States' nor any of the individual states, thus the issue of diversity is primal and the laws of the said states do not apply to us (see *Dread Scott v. Sandford*). The only laws that apply are, nature's law, the treaty of 1786-1787, the common-law and international law principles of the constitution for the United States of America. These facts can also be found in the journals of the State of South Carolina, where a group of Moors placed their status on the record that they are not to be held to the Negro Law, i.e. Moors branded as blacks and subjects to the Colonial States, but were to be protected under the Treaty of 1786 i.e. under protection of the Sultan of Morocco.

It is demanded that this court requests a certified copy of the aforementioned proclamation from the City of Chicago to be presented for the record, as a request for this document was made by Jamhal Talib Abdullah Bey on October 16 2018, (see

<https://www.youtube.com/watch?v=ui6XRGjydNI&t=1018s> (36 minute mark) and <https://www.youtube.com/watch?v=ML1VZc2ePfY&t=571s>), whereby the clerk alleged that they did not have them on file. What is not displayed on camera is that one of Rahm Emmanuel's secretaries from his office informed us that they will no longer be creating certified copies of the document, which conforms its existence and their refusal to give it to us because of its implications and the information expressed contained therein. A copy of the journal entry from the State of Carolina regarding the Sundry Free Moors act of 1790 can be requested as well if needed. These documents will prove that the officials of your Colonial Union, both state and federal, know that we are not citizens of your states and know that we are the aboriginal people of the Americas and any issues of law between our nationals or citizens and yours, the issues are to be litigated in Consular Court. If needed, a certified copy from the South Carolina Archives and History department can be requested and they can be contacted at 803-896-6196. Journal entry from the South Carolina House of Representatives, from 1789 – 1790: Page 363 to page 374.

If the officials of THE COMMONWEALTH OF MASSACHUSETTE show a blatant disregard to Federal, State and International Law in regard to Leonitus Bey mentioned in this affidavit, then where does that leave the rest of the Moors? It leaves us in fear that we will not be dealt with honorably, fairly and equitably as prescribed by international law and declared in the United Nations Declaration on Human Rights, as well as secured within the Constitution and the Treaty between our two Nation-States. We are left not knowing the future of our prosperity, especially under the forced commercial control and jurisdiction of the States whom have no jurisdiction in our affairs.

SUPPORTIVE EVIDENCE FOR THE DEMAND OF REMEDY / SETTLEMENT

If the agents of the Commonwealth of Massachusetts would have abided by their own laws and the constitution for the United States as stated in their oath / affirmation / certificate of engagement, Leonitus Jabir Bey would not have been unlawfully arrested and his property would not have been taken, which is prima facie evidence that his right to due process of law has been violated. It is demanded that Leonitus Jabir Bey be compensated pursuant to 18 U.S. Code § 1091 (a)(4). Because he not only had to trade for his own property, but he was threatened by the agents of Lowell to be held there unlawfully for an indefinite amount of time. Which would have left his two children without a father. He would have also suffered injury to his character and reputation within his own community if found guilty of the alleged charges being brought against him.

Leonitus Jabir Bey, not being a citizen of Massachusetts falls within Massachusetts General Law Part I title XIV, chapter 90 section 3, clearly stating that a nonresident may operate his or her automobile without registration or licensing from the Commonwealth of Massachusetts, so long as the automobile is registered with his home state or country. See **Exhibits A4, A5, A6, and A7.**

Massachusetts General Laws, Part I, Title XIV, Chapter 90 Section 3: Operation of motor vehicles owned by non-residents; liability insurance; vehicles used in connection with place of business; suspension or revocation of right to operate vehicle; registration

a motor vehicle or trailer owned by a non-resident who has complied with the laws relative to motor vehicles and trailers, and the registration and operation thereof, of the state or country of registration, may be operated on the ways of this commonwealth without registration under this chapter, to the extent, as to length of time of operation

and otherwise, that, as finally determined by the registrar, the state or country of registration grants substantially similar privileges in the case of motor vehicles...

All of the Defendants are in violation of Article VI, article 1 Section 8 and 10 of the American Constitution and Article 17, 20, 21, and 22 of the Treaty of Amity and Commerce also known as the Treaty of Peace and Friendship also known as The Barbary Treaties of 1786-1816. Thus, liable pursuant to the definition of a Tort.

A "Tort" is a *civil* or *criminal* suit that results from an individual's failure to act where there is a lawful, legal or moral obligation to do so. When that failure to act injures another, it is called a "Tort". An injury related to Torts is any personal physical or mental anguish and or any physical injury (damage) to any personal property or real estate.

As defined in Henry Campbell Black's Law Dictionary 4th Edition:

TORT (from Lat. torquere, to twist, tortus, twisted, wrested aside). *A private or civil wrong or injury. A violation of a duty imposed by general law or otherwise upon all persons occupying the relation to each other which is involved in a given transaction.* Coleman v. California Yearly Meeting of Friends Church, 27 Cal.App.2d 579, 81 P.2d 469, 470.

There -must always be a violation of some duty owing to plaintiff, and generally such duty must arise by operation of law and not by mere agreement of the parties. Diver v. Miller, Del.Super., 148 A. 291, 293.

Three elements of every tort action are: Existence of legal duty from defendant to plaintiff, breach of duty, and damage as proximate result. City of Mobile v. McClure, 221 Ala. 51, 127 So. 832, 835.

RELEVANT SUPPORTING CASE LAW, STARE DECISIS AND RES JUDICATA

Every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent. CRUDEN v. NEALE 2N.C. (1796) 2 SE 70.

Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading... we cannot condone this shocking behavior ... This sort of deception will not be tolerated and if this is routine it should be corrected immediately. U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424, F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932.

An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whatever the instrument is "file-marked". Biffle v. Morton Rubber, Inc., 785 S.W. 2d 143, 144 (tex.1990).

Uncontested allegations in an affidavit must be accepted as true. Morris v National Cash Register, 44S.W. 2d 433.

Allegations in affidavit in support of motion must be considered as true in absence of counter-affidavit. Group v. Finletter, 108 F. Supp. 327 (D. C.D.C., 1952).

Once challenged, jurisdiction cannot be "assumed" it must be proven to exist. Stuck v Medical Examiners, 94 Ca.2d 751, 211 P. 2d 389.

The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings. Hagans v Lavine, 415 U.S. 533.

If any tribunal finds absence of proof of jurisdiction over person and subject matter, the case must be dismissed. Louisville Rail Road v. Motley, 211 U.S. 149, 29 S Ct. 42.

A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well-established law that a void order can be challenged in any court. OLD WAYNE MUT. L. ASSOC. v. McDONOUGH, 204 U. S. 8, 27 S. Ct. 236 (1907).

Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal. WILLIAMSON v. BERRY, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850).

Jurisdiction can be challenged at any time. Basso v. Utah Power & Light Co. 495 F 2d 906, 910.

An individual unquestionably has the right to litigate his own claims in federal court... The right to litigate for oneself, however, does not create a coordinate right to litigate for others. Myers v. Loudoun Cnty. Pub. Sch., 418 F.3d 395, 400 (4th Cir. 2005).

"The Constitution requires that every effort be made to see to it that a defendant in a criminal case has not unknowingly relinquished the basic protections that the Framers thought indispensable to a fair trial," Schneckloth v. Bustamonte, 412 U.S. 218, 241-42, 93 S.Ct. 2041, 36 L.Ed.2d 854 (1973), *and among these "basic protections" is the right to a trial by jury.* Adams v. United States ex rel. McCann, 317 U.S. 269, 276, 63 S.Ct. 236, 87 L.Ed. 268 (1942). *And of course, the basic protection of a right to trial by jury includes the right to a jury representing a fair-cross section of the community.* Taylor v. Louisiana, 419 U.S. 522, 526-31, 95 S.Ct. 692, 42 L.Ed.2d 690 (1975). [See UNITED STATES of America, Plaintiff-Appellee, v. James A. TRAFICANT, Jr., Defendant-Appellant. No. 02-3864. Decided: May 19, 2004].

The Right to Park or Travel is part of the Liberty of which the Natural Person, citizen cannot be deprived without "due process of law" under the 5th Amendment of the United States Constitution. Kent v. Dulles 357 US 116, 125

State Police Power extends only to immediate threats to public safety, health, welfare, etc., Michigan v. Duke 266 US, 476 Led. At 449: *which driving and speeding are not.* California v. Farley Ced. Rpt. 89, 20 CA3rd 1032 (1971).

Traffic infractions are not a crime. People v. Battle, 50 Cal. App. 3, step 1, 123 Cal.Rptr. 636,639.

Under the United States Republic's Constitutional system of Government and upon the individuality and intelligence of the citizen, the State does not claim to control one's conduct to others, leaving one the sole judge as to all that affects oneself. Mugler v. Kansas 1213 US 623, 659—60.

As stated by the Supreme Court of Illinois in a case involving this same sect and an ordinance similar to the present one, a person cannot be compelled "to purchase, through a license fee or a license tax, the privilege freely granted by the constitution." Blue Island v. Kozul, 379 Ill. 511, 519, 41 N.E.2d 515.

Speeding, driving without a license, wrong plates or no plates, no registration, no tags, etc., have been held to be "non-arrestable" offenses. Cal. V. Farley, 98 Cal. Rep. 89., 20 CA 3d 1032.

No state government entity has the power to allow or deny passage on the highways, byways, nor waterways... transporting his vehicles and personal property for wither recreation or business, but by being subject only to local regulation i.e., safety caution, traffic lights, speed limits, etc. Traveling is not a privilege requiring licensing, vehicle registration, or forced insurance. Chicago Coach Co. V. City of Chicago, 227 Ill. 200, 169 N.E. 22.

A "person" "driving" an automobile cannot be stopped to see if he or she is licensed to "drive" unless there is reasonable suspicion the "person" has engaged in criminal conduct. Delaware v Prouse, (1979) 440 US 648, 59 Led2d 660.

The United States Supreme Court ruled that a police officer could not arrest a citizen merely for refusing to present identification. Kolender v. Lawson (461 U.S. 352, 1983).

A right which is free and open to all is not the subject of a license or tax. Chicago v Collins, 51 NE 907; Freeburg v Dawson 274 F 240.

Traveling in an automobile on the public roads was not a threat to the public safety or health and constituted no hazard to the public, and such a traveler owed nothing more than "due care" (as regards to tort for negligence) to the public and the owner owed no other duty to the public (eg. State), he / she and his / her auto, having equal rights to and on the roadways / highways as horses and wagons, etc.; this same right is still substantive rule, in that speeding, running stop signs, traveling without license plates, or registration are not threatening to the public safety, and thus, are not arrestable offenses. Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905 – 1910: California v. Farley 98 CED Rpt. 89, 20 CA 3d 1032 (1971).

The Ohio Supreme Court, the authoritative voice on Ohio law, has never established a physical injury requirement under the Ohio survivorship statute. And the language of the statute, "injury to the person," does not suggest such a requirement. This language normally requires the invasion only of a personal, not a physical, right and thus permits claims premised on psychological harm. See Injury, Black's Law Dictionary (10th ed. 2014) (defining "personal injury" among other things as "[a]ny invasion of a personal right, including mental suffering"); Restatement (Second) of Torts § 7 (defining "injury" as "the invasion of any legally protected interest of another"). United States Court of Appeals, Sixth Circuit. Keith CRABBS, Plaintiff-Appellant, v. Zach SCOTT, Defendant-Appellee. No. 17-3854.

Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them. Miranda v. State of Arizona, 86 S.Ct. 1602 at 1636, 384 U.S. 436 at 491 (U.S.Ariz.1966).

Persons are not the subjects of commerce, and not being imported goods, they do not fall within the meaning founded upon the constitution, of a power given to congress, to regulate commerce, and the prohibition of the states for imposing a duty on imported goods. Ibid; Gibbons v. Ogen 9 Wheat 1; 5 Cond. Rep. 562.

"In as much as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. Can concern itself with anything other than corporate, artificial persons and the contracts between them. S.C.R. 1795, Penhallow v. Doane's Administraters (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54).

The State is prohibited from violating substantive rights. Owens v. City, 445 US 662 (1980); and it cannot do by one power (eg. Police power) that which is, for example, prohibited expressly to any other such power (eg. Taxation / Eminent Domain) as a matter of law. US and UT v. Daniels, 22 p 159, nor indirectly that which is prohibited to it directly. Fairbanks v. US 181, US 283, 294, 300:

Where rights secured by the Constitution are involved, there can be no rule-making or legislation, which would abrogate them. Miranda v. Arizona 384 US 436, 125.

It is not the duty of the police to protect you. Their job is to protect the corporation and arrest code breakers. SAPP vs Tallahassee, 348 So. 2nd. 363, Reiff vs City of Phila.

If this is a Criminal Matter, there must exist an injured party, of which I would be obligated to make remedy to. If this is a Civil Matter, there must be an injured party, or property, even unto a preponderance of evidence. If this is an Administrative Court (Traffic Court) as well, there must be an injured party as defined in the established Rule of Law, submitted in Exhibit A: Board of Trade v. Olson, 262 US 1; 29 ALR 2d 105.

An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right to use force in defending himself as he would in repelling any other assault and battery. State v. Robinson, 145 ME. 77, 72 ATL. 260.

Each person has the right to resist an unlawful arrest. In such a case, the person attempting the arrest stands in the position of a wrongdoer and may be resisted by the use of force, as in self- defense. State v. Mobley, 240 N.C. 476, 83 S.E. 2d 100.

One may come to the aid of another being unlawfully arrested, just as he may where one is being assaulted, molested, raped or kidnapped. Thus, it is not an offense to liberate one from the unlawful custody of an officer, even though he may have submitted to such custody, without resistance. Adams v. State, 121 Ga. 16, 48 S.E. 910.

The United States Supreme Court has rejected foreign citizenship as a legitimate basis for state restrictions on non-citizens' right to own property or to otherwise engage in the social and commercial community. See, e.g., Truax v. Raich, 239 U.S. 33, 39, 36 S.Ct. 7, 60 L.Ed. 131 (1915); Takahashi v. Fish & Game Commission, 334 U.S. 410, 419, 68 S.Ct. 1138, 92 L.Ed. 1478 (1948).

A debt is not paid by the giving of a note. (Nolan Co. vs. Maryland Causality, 38F. Supp. 479).

A note is only a promise to pay and not payment. (Fidelity Saving Bank vs. Grimes, 131 P 2d 894).

A check payable in notes is an altered instrument and void. (M.R.S, 1954 C.188, Section 124 and 125).

Section 411 of 12 USC reads as follows: "*Federal Reserve notes, to be issued at the direction of the Federal Reserve Board for purpose of making advances to the Federal Reserve Banks...*" *The said notes shall be the obligation of the United States....*"

A dispute is "genuine" "if the evidence is such that a reasonable jury could return a verdict for the non-moving party." Ford v. Gen. Motors Corp., 305 F.3d 545, 551 (6th Cir. 2002) (quoting Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986). The moving party bears the initial burden of establishing that there are no genuine issues of material facts, which it may accomplish "by demonstrating that the nonmoving party lacks evidence to support an essential element of its case." Id. (citing Celotex Corp. v. Catrett, 477 U.S. 317, 322-23, 106 S.Ct. 2548, 91 L.Ed.2d 265 (1986). In response, the nonmoving party must present "significant probative evidence" that will reveal that there is more than "some metaphysical doubt as to the material facts." Moore v. Philip Morris Cos., Inc., 8 F.3d 335, 340 (6th Cir. 1993). The mere existence of a scintilla of evidence in support of the nonmovant's position will not suffice to avoid summary judgment. Anderson, 477 U.S. at 252, 106 S.Ct. 2505.

The limitation the Court adopts today shows no fidelity to Congress' words or purpose. The Court recognizes that the "money or property" limitation of the second clause may not actually apply to prosecutions under the first clause. See ante, at 358. But where else can such a limitation be derived from? A few examples of the types of frauds that have been prosecuted under the "intangible right" theory reveal that these schemes constitute "fraud" in every sense of the word, and that the "intangible right" theory plays an indispensable role in effectuating Congress' goal of preserving the integrity of the Postal Service. United States Supreme Court, McNALLY v. UNITED STATES, (1987) No. 86-234. (Argued: April 22, 1987 Decided: June 24, 1987)


The Court, dealing with the predecessor to 371, rejected the argument that there could be no conspiracy to defraud in the absence of contemplated monetary or property loss. In Haas v. Henkel, [216 U.S. 462](#) (1910)


Treaty is law of land as act of Congress is whenever its provisions prescribe rule by which rights of private citizens or subjects may be determined. Head Money Cases, 112 US 580, 28 L Ed 798, 5 S Ct 247.

State statutory provisions must yield to any applicable provisions of any treaty of the United States with a foreign country, constituting a part of the supreme law of the land. De Tenorio V McGowan (CA5 Miss) 510 F2d 92, adhered to (CA5 Miss) 513 F2d 294, cert den 423 US 877, 46 L Ed 2d 110, 96 S Ct 150 and later app (CA5 Miss) 589 F2d 911.

Treaty lawfully entered into stands on same footing of supremacy as do Constitution and laws of United States, and it is generally self-operating in that it requires no legislation by either congress or the state; treaty must be regarded as part of law of state as much as are state's own statutes, and it may override power of state even in respect of great body of private relations. Amaya V Stanolind Oil & Gas Co. (CA5 Tex) 158 F2d, cert den 331 US 808, 91 L Ed 1828, 67 S Ct 1191, reh den 331 US 867, 91 L Ed 1871, 67 S Ct 1530.

Courts cannot go behind treaty for purposes of annulling its effect and operation. Fellows V Blacksmith, 60 US 366, 15 L Ed 684.

I, Leonitus Jabir Bey, under penalty of perjury and persecution from the Moorish nation do declare and state for the record, to the best of my ability, that all claims and statements made in this affidavit are true, factually based not made for, nor intended to be used for fraud, misrepresentation, misprision nor usurpation. A Free Moorish American national and citizen of our free National Government, I am: Leonitus Jabir Bey Leonitus Jabir Bey .

In witness thereof and in honor of my Moabite ancestors to time immemorial, exercising the Divine and Common-Law-Right to Jus Postliminii, in an honest attempt to enforce the Constitution for the United States of America, as instructed by the Universal Moorish Prophet, Sheik, El Hajj Sharif Abdul Ali, in accord with the high principles of Love, Truth, Peace, Freedom and Justice; Consul and elected Grand Sheik by my national peers, I am: Jamhal Talib Abdullah Bey Jamhal Talib Abdullah Bey .

Date:

Moorish Calander Year: On this 19 day of Jamadi ul Awwal in the year 1440.

Gregorian Calander Year: On this 25 day of January in the year 2019.

AFFIDAVIT OF FACT AND INCIDENT REPORT

At approximately 1800 hours on the 22 day of January. I Leonitus J Bey was traveling across the school street bridge in the left turning lane. I made a choice of going straight in a left lane only turning lane because my alternator was dying and I did not want to have to tow my truck off the road or in the middle of traffic. That's when PENDER DAVID ALLEN's lights go on from the McDonald's parking lot which he had to wait for passing cars before he could exit the lot. In no way was I trying to evade or resist. Which I'm pretty sure is the reason policy enforcer PENDER, DAVID ALLEN pursued with such emotional aggression. At this time, we are passing 3rd street, which I live on 109 fourth ave less than 500 ft away. At the same time the ford F150 is losing power and shutting off and on due to a bad alternator. So, I made the decision to pull over where it was safe for everyone. Thinking I could just explain the situation to policy enforcer PENDER, DAVID ALLEN, and simply if ticketed respond lawfully. But sadly I/we did not get the opportunity to defuse the situation due to a very outraged PENDER, who upon approaching the operators side had a taser out crouched to his side aimed at me. PENDER then shouts "*Hands let me see your hands!*", but I could not get the window down because at that time the truck died. So, I informed him that I could not because the truck had dead. At this time, he's screaming out the question "*Is this what you want?*" Asking if I desired to be tasered. He then screams "*Open the door.*" Which I then did immediately, at the same time he is also pulling the handle on the outside. He then repeats "*Is this what you want?*" frantically and out of breath. I merely looked him in the eyes with calmness and assured PENDER that there is no need for aggression or a reason to discharge his Taser. He then grabs my left hand and demands I step out the car. I being a child of god and a student of law knew that this was not proper procedure for policy enforcer PENDER nor due process of law. I could tell he was emotionally distraught and not in control of his emotions. At this point I tried to ask PENDER what's the problem in attempts to calm him to talk, but he then responds with several punches to the left side of my face which then causes my guest Anu Pathfinder Bey, to pull out his phone to record and repeatedly asked Mr. PENDER, "*What are you doing?*" At this point I am being reluctant in fear of my life so out of fear I clasp the steering wheel of my truck. At this point my wives mother Karen McHugh is viewing what's going on from her window then she proceeds to come outside to see what's going on. But at this point other policy enforcers are arriving on the scene, the lights got brighter and brighter from the amount of patrol vehicles that arrived and a different policy enforcer holds Karen back. At this point, PENDER, with the same hand he has the taser in reaches for his hand cuffs and drops his taser on the ground by the truck and begins to place the cuffs on my left hand he then proceeds with several more blows to the left side of my face. Seeing that only I can deescalate the situation I release the steering wheel and step out of the truck and PENDER immediately throws me to the ground and places the cuffs on me. At this point Anu Pathfinder Bey is being thrown to the floor as well for trying to record the events. Other Moorish nationals that are familiar with my location of domicile pulled over while traveling by to investigate. Akif Wasif Alim Bey along with Hadjah Bintu El, who can also stand as witnesses, testify and provide statements on the incident as they were their talking to police in attempts to gather information on an obvious miscommunication. By this time, it seems PENDER is calming down and he begins to help me to my knees then my feet. He finally hears all the loud voices directed towards him repeatedly asking what are you doing as no one but him was being aggressive and using excessive force. While waiting for transport the

AFFIDAVIT OF FACT AND INCIDENT REPORT

Lowell Police (policy enforcers) are discussing the truck and what they should do with it, so they begin to run the plates.

Transport shows up and I was taken to Lowell police human trafficking center offered \$40 ransom then it was revoked and my body was kept in inhumane conditions. My shoes were removed and I was placed in a cell with glass all on the floor with a cut in half wool blanket. When I asked why the ransom was revoked the agents of the Lowell Police center gave no answer. I was then transported to the de facto Lowell district court human trafficking holding facility awaiting to see a magistrate the following day.

After being profiled as a "black man, I was brought before a magistrate who has seen me before and knows that I filed on the record, the fact that I am a Moorish American national and citizen, and not a Citizen of Lowell, Massachusetts or the United States in a previous issue brought before her court. The District Attorney made a plea to ransom my body for \$250 and it was denied. I was then released with a trial date of February 19 2019.

I, Leonitus Jabir Bey, under penalty of perjury and persecution from the Moorish nation, do declare and state for the record, to the best of my ability, that all claims and statements made in this affidavit are true, factually based and not made for, nor intended to be used for fraud, misrepresentation, misprision nor usurpation. I am a Free Moorish American national and citizen of our free National Government. In honor of my Moabite ancestors to time immemorial, exercising the Divine and Common-Law-Right to Jus Postliminii, in an honest attempt to enforce the Constitution for the United States of America, as instructed by the Universal Moorish Prophet, Sheik, El Hajj Sharif Abdul Ali, in accord with the high principles of Love, Truth, Peace, Freedom and Justice. I am: Leonitus Jabir Bey

On this 25 day of January in the year 2019.

Witness: Jamil Talib Abdullah Bey

Witness: India Nascimento

Witness: Zeek Chellah Bey

Exhibit
A-3Affidavitt of facts,witness statement and incident report

While I was traveling to pick up my empress at her place of domicile. It was around 6pm on 1/22/19 i saw Leonitus at the intersection of Mammoth Rd. and 4th Ave follwed by policy enforcers. Leonitus then took a right turn and traveled passed me. I continue my journey and went to pick up my empress. On the way back I made sure I took the same route. As we're approaching Leonitus house I saw flashng lights and 6-7 cop cars. We parked the mode of conveyance. I walked towards Leonitus house. Leonitus and Anu Bey were both in handcuffs. I asked the first policy enforcer what was going on with my brothers and why their in handcuffs. I was then asked to step back. Leonitus then states to me that he was punched in his face repeatedly, as he speaking to me the policy enforcer tells him to shut up. Anu was telling the policy enforcer that he's hurting his wrist and stop squeezing the handcuffs so tight. They searched the car illegeally and started looking at the plates and stating that they were going to tow the car and that the car needed to be register to drive. Once again i asked the officer why they were getting arrested and what crime was committed. The policy enforcer stated they had cut a whole bunch of cars off and when attempting to pull over Leonitus, the policy enforcer then stated because "he didnt stop so he made him look small". Policy enforcer also stated he didnt have a license to travel. Thats when i started to explain to him you don't need a license to travel unless doing commerce. The moment I started talking about the constituin and my right he didn't want to hear anything else I had to say.

I Am Atib Wasib Alim Bey (R) I Am Hadja Binte Kameh (R)
witness 

Exhibit
A-4

NONM2012-4772

Alloidal American National
Identification Card
Substantive Birthrights

Appellation: Leonitus Jabir Bey
Born Day: [REDACTED] Natural Person / In Full Life
National Domicile: North America Race: Human
Ancestral Estate: North, South, Central, Amexem/Africa/America
Mail Location: c/o 109 Fourth Avenue
Lowell, Massachusetts Republic [01854]

Hair: Brown
Eyes: Lt Brn
Height: 5'9"
Weight: 160

Nationality: Moor American
Autograph: [Signature]
All Rights Reserved and Retained
Freehold by Birthright, Primogeniture & Inheritance: Aboriginal Native American;
Heirs of North America: National People of the Land, Divine Law, United States
Code of Law - Title 22, Ch. 2, Sec 141; of a General and Permanent Character;
Not Taxed: A422141; Constitution - Art.1, Sec.2, Clause 3; Treaties.

R I G H T

T H U M B

CERTIFICATE OF TITLE

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

TITLE NUMBER BL967383		VEHICLE IDENTIFICATION NUMBER 1FTPX145X8FB76990 1FTPX145X8FB76990		DATE OF ISSUE 01/11/2013	
MFRS. MODEL YEAR 2008	MAKE FORD	MODEL NAME F-150	MODEL NO.	BODY STYLE/TYPE PU	NEW/USED USED
CYL. PASS. DRS. 08 04 2	PURCHASE DATE 12/14/2012	ODOMETER READING 100,457 100,457 ACTUAL MILEAGE		PREV. TITLE NO. 11494321 <small>IF PREVIOUS STATE WAS TITLE EXEMPT. REGISTRATION NUMBER IS DISPLAYED.</small>	PREV. TITLE STATE NH

MAILING ADDRESS ONLY:
PAGE, DENNIS M
17 BRIDLE PATH WAY
TYNGSBOROUGH, MA 01879-2134

OWNER(S) NAME AND ADDRESS:
PAGE, DENNIS M
17 BRIDLE PATH WAY
TYNGSBOROUGH, MA 01879-2134

TITLE TYPE AND BRANDS

TITLE TYPE

BRAND
BRAND
BRAND
BRAND

TITLE MESSAGE(S):

FIRST LIENHOLDER:

SECOND LIENHOLDER:

RELEASE OF FIRST LIEN: THE FIRST LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED NAME: AUTHORIZED SIGNATURE: X DATE RELEASED:

RELEASE OF SECOND LIEN: THE SECOND LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED NAME: AUTHORIZED SIGNATURE: X DATE RELEASED:

THE REGISTRAR OF MOTOR VEHICLES HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE DESCRIBED HEREIN HAS BEEN DULY FILED, PURSUANT TO THE PROVISIONS OF THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS. BASED ON THE STATEMENTS OF THE APPLICANT AND THE RECORDS ON FILE WITH THIS AGENCY, THE APPLICANT NAMED IS THE OWNER OF SAID VEHICLE.

THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

Rachel Kaprielian
Rachel Kaprielian
Registrar

CONTROL NO. **G 1295839**
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE.

KEEP IN SAFE PLACE

WARNING:

Federal and Massachusetts laws require that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

ANY ERASURES, WHITE-OUTS OR CROSS-OUTS WILL VOID THE ASSIGNMENT AND ALL ASSIGNMENTS THAT FOLLOW

ASSIGNMENT OF CERTIFICATE OF TITLE BY OWNER

THIS IS TO BE COMPLETED BY THE SELLER and delivered to the Purchaser with the vehicle. If a Non-Dealer sale, purchaser must make application for a new Certificate of Title on MA form RMV-1, and file it immediately with the Massachusetts RMV and surrender the assigned Title.

I/we hereby assign, transfer, and convey the motor vehicle described on the reverse side of this certificate, for the sale price herein stated, to the following named purchaser, and I/we hereby warrant the Title to said motor vehicle and that same is free of all liens and encumbrances.

SALE PRICE: \$ <u>2500.00</u>	PRINT NAME OF PURCHASER(S):	DATE OF SALE: <u>6/29/18</u>
STREET:	CITY:	STATE:
		ZIP:

ODOMETER DISCLOSURE STATEMENT CAUTION: ONLY CHECK A BOX IF THE ODOMETER READING DIFFERS FROM ACTUAL MILEAGE

"I certify to the best of my knowledge the odometer reading specified here is the actual mileage of the vehicle, unless one of the following statements is checked:"



No Tenth

☐

1. I hereby certify to the best of my knowledge the odometer reading stated is in excess of its mechanical limits. (The odometer started at zero again.)

☐

2. I hereby state the odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

SIGNATURE OF SELLER(S):	PRINTED NAME(S) OF SELLER(S):	DATE: <u>6/29/18</u>
-------------------------	-------------------------------	----------------------

PURCHASER(S): DO NOT SIGN BELOW UNTIL ALL SECTIONS ABOVE HAVE BEEN COMPLETED AND SIGNED. SIGNING BELOW INDICATES YOU ARE AWARE OF THE ODOMETER DISCLOSURE STATEMENT MADE BY THE SELLER(S).

SIGNATURE(S) OF PURCHASER(S):	PRINTED NAME(S) OF PURCHASER(S):	DATE: <u>6/29/18</u>
-------------------------------	----------------------------------	----------------------

1st RE-ASSIGNMENT BY LICENSED DEALER ONLY

The undersigned licensed Dealer hereby certifies that the Title to the motor vehicle described on the face of this Certificate of Title was transferred to:

PRINT NAME OF PURCHASER(S):	PRINT ADDRESS:
SIGNATURE(S) OF PURCHASER(S):	PRINTED NAME(S) OF PURCHASER(S):
DATE: <u>6/29/18</u>	

ODOMETER DISCLOSURE STATEMENT CAUTION: ONLY CHECK A BOX IF THE ODOMETER READING DIFFERS FROM ACTUAL MILEAGE

"I certify to the best of my knowledge the odometer reading specified here is the actual mileage of the vehicle, unless one of the following statements is checked:"



No Tenth

☐

1. I hereby certify to the best of my knowledge the odometer reading stated is in excess of its mechanical limits. (The odometer started at zero again.)

☐

2. I hereby state the odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

DEALER'S LICENSE NUMBER:	DEALERSHIP NAME AND ADDRESS:
SIGNATURE OF LICENSED DEALER:	PRINT NAME:
DATE:	

2nd RE-ASSIGNMENT BY LICENSED DEALER ONLY

The undersigned licensed Dealer hereby certifies that the Title to the motor vehicle described on the face of this Certificate of Title was transferred to:

PRINT NAME OF PURCHASER(S):	PRINT ADDRESS:
SIGNATURE(S) OF PURCHASER(S):	PRINTED NAME(S) OF PURCHASER(S):
DATE:	

ODOMETER DISCLOSURE STATEMENT CAUTION: ONLY CHECK A BOX IF THE ODOMETER READING DIFFERS FROM ACTUAL MILEAGE

"I certify to the best of my knowledge the odometer reading specified here is the actual mileage of the vehicle, unless one of the following statements is checked:"



No Tenth

☐

1. I hereby certify to the best of my knowledge the odometer reading stated is in excess of its mechanical limits. (The odometer started at zero again.)

☐

2. I hereby state the odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

DEALER'S LICENSE NUMBER:	DEALERSHIP NAME AND ADDRESS:
SIGNATURE OF LICENSED DEALER:	PRINT NAME:
DATE:	

3rd RE-ASSIGNMENT BY LICENSED DEALER ONLY

The undersigned licensed Dealer hereby certifies that the Title to the motor vehicle described on the face of this Certificate of Title was transferred to:

PRINT NAME OF PURCHASER(S):	PRINT ADDRESS:
SIGNATURE(S) OF PURCHASER(S):	PRINTED NAME(S) OF PURCHASER(S):
DATE:	

ODOMETER DISCLOSURE STATEMENT CAUTION: ONLY CHECK A BOX IF THE ODOMETER READING DIFFERS FROM ACTUAL MILEAGE

"I certify to the best of my knowledge the odometer reading specified here is the actual mileage of the vehicle, unless one of the following statements is checked:"



No Tenth

☐

1. I hereby certify to the best of my knowledge the odometer reading stated is in excess of its mechanical limits. (The odometer started at zero again.)

☐

2. I hereby state the odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

DEALER'S LICENSE NUMBER:	DEALERSHIP NAME AND ADDRESS:
SIGNATURE OF LICENSED DEALER:	PRINT NAME:
DATE:	

2008 Ford F-150 PU; Title Number BL 967383; VIN 1FTPX145X8FB76990

CERTIFICATE OF DRIVERS LICENSE

THIS IS TO CERTIFY THAT

Leonitus Jabir Bey

Is a Moroccan citizen and national, permitted to travel, drive and operate their automobile in the COMMONWEALTH OF MASSACHUSETTS and is registered with the Court of Morocco, pursuant to:

MASSACHUSETTS GENERAL LAWS

Part I ADMINISTRATION OF THE GOVERNMENT, Title XIV PUBLIC WAYS AND WORKS, Chapter 90 MOTOR VEHICLES AND AIRCRAFT Section 3 Operation of motor vehicles owned by non-residents; liability insurance; vehicles used in connection with place of business; suspension or revocation of right to operate vehicle; registration §1-90-3. *a motor vehicle or trailer owned by a non-resident who has complied with the laws relative to motor vehicles and trailers, and the registration and operation thereof, of the state or country of registration, may be operated on the ways of this commonwealth without registration under this chapter, to the extent, as to length of time of operation and otherwise, that, as finally determined by the registrar, the state or country of registration grants substantially similar privileges in the case of motor vehicles and trailers duly registered under the laws and owned by residents of this commonwealth;*

The holder of this certificate's nationality card is to be accepted as valid identification non-subject to: **Massachusetts General Laws Part 1 Title XIV (14) Chapter 90; Department of Home Land Security 6 C.F.R. 37**

Issued from the Court of Morocco. Issuing authority: Vizier Jamhal Talib Abdullah Bey.

Issued by my hand and the Moroccan Seal:



Exhibit A-8

ARRAIGNMENT ORDER: PRETRIAL CONFERENCE AND HEARING; INITIAL DISCOVERY		Docket Number 1911CR0365	Trial Court of Massachusetts District Court Department
COURT DIVISION Lowell District Court 41 Hurd Street Lowell, MA 01852	COMMONWEALTH VS. <u>Leon Campbell</u> Name of Defendant		

PROSECUTION AND DEFENSE COUNSEL IN THE ABOVE-CAPTIONED CASE ARE HEREBY ORDERED AND INSTRUCTED AS FOLLOWS:

1. To engage in a PRETRIAL CONFERENCE in accordance with Mass. R. Crim. P. 11, such conference to involve such contact and discussion with your respective witnesses and each other as necessary to familiarize yourselves with the issues, proposed evidence and possibility and terms of a pretrial disposition. The PRETRIAL CONFERENCE may be held by the parties at a time and place and in any manner agreeable to the parties, except as may be provided by the court. Said PRETRIAL CONFERENCE is to be completed prior to the PRETRIAL HEARING scheduled below.
2. To appear together with the defendant in this court for a HEARING on the results of the PRETRIAL CONFERENCE on:

DATE AND TIME OF PRETRIAL HEARING

Date:	Feb. 19th
Time:	9 AM

3. To file on the above-specified hearing date a completed TENDER OF PLEA OR ADMISSION on the required form, OR, if no plea or admission is tendered, to file at that time a completed PRETRIAL CONFERENCE REPORT, signed by both defense counsel and the prosecutor.

INITIAL
DISCOVERY ORDER

IN ACCORDANCE WITH THE PROVISIONS OF G.L. c. 218, s. 26A AND MASS. R. CRIM. P. 14, DISCOVERY IS HEREBY ORDERED AS FOLLOWS:

1. Prosecution to provide any written or recorded statements made by the defendant, and any facts of an exculpatory nature, within the possession, custody or control of said prosecutor.
2. Prosecution to permit the defendant to discover, inspect and copy any materials and relevant evidence, documents, statements of persons, or reports of physical or mental examination of any person or of scientific tests or experiments within the possession of the prosecutor or persons under his or her direction and control, such discovery, inspection and copying to be sought and obtained by the defense prior to the Pretrial Hearing, scheduled above.


Discovery not provided or obtained in accordance with this order shall be requested in the PRETRIAL CONFERENCE REPORT or by motion.

CRIMINAL COMPLAINT DEFENDANT COPY		DOCKET NUMBER 1911CR000365	NO. OF COUNTS 9	Trial Court of Massachusetts District Court Department
DEFENDANT NAME & ADDRESS Leon J Campbell 109 Fourth Ave Apt 1 Lowell, MA 01852				COURT NAME & ADDRESS Lowell District Court 41 Hurd Street Lowell, MA 01852 (978)459-4101
DEFENDANT DOB [REDACTED]	COMPLAINT ISSUED 01/23/2019	DATE OF OFFENSE 01/22/2019	ARREST DATE 01/22/2019	
OFFENSE CITY / TOWN Lowell	OFFENSE ADDRESS			NEXT EVENT DATE & TIME 01/23/2019 09:00 AM
POLICE DEPARTMENT Lowell PD	POLICE INCIDENT NUMBER 19-1116			NEXT SCHEDULED EVENT Arraignment
OBTN TLOW201900154	PCF NUMBER 5028377	DEFENDANT XREF ID 9932398		ROOM / SESSION Arraignment Session
The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.				

COUNT	CODE	DESCRIPTION
1	269/10/B	DANGEROUS WEAPON, CARRY c269 §10(b)
<p>On 01/22/2019 did carry on his or her person, or carry on his or her person or under his or her control in a vehicle, or when arrested upon a warrant for an alleged crime or while committing a breach or disturbance of the public peace was armed with or did have on his or her person or under his or her control in a vehicle, a dangerous weapon, to wit: a 18" MACHETTE, not being authorized by law to do so, in violation of G.L. c.269, §10(b).</p> <p>(PENALTY: state prison not less than 2½ years, not more than 5 years; or jail or house of correction not less than 6 months, not more than 2½ years. If defendant not previously convicted of a felony: jail or house of correction not more than 2½ years; or not more than \$50; §10(e): dangerous weapon to be ordered forfeited.)</p>		
2	90/24/E	NEGLIGENT OPERATION OF MOTOR VEHICLE c90 §24(2)(a)
<p>On On 01/22/2019: did operate a motor vehicle upon a way, as defined in G.L. c.90, §1, or in a place to which the public has a right of access, or in a place to which members of the public have access as invitees or licensees, negligently, so that the lives or safety of the public might be endangered, in violation of G.L. c.90, §24(2)(a).</p> <p>(PENALTY: imprisonment for not less than 2 weeks, not more than 2 years; or not less than \$20, not more than \$200, plus \$250 Head Injury Treatment Services Trust Fund surcharge; or both imprisonment and fine; subsequent offense may not be filed or continued without a finding except upon motion and judge's certificate that such is in the interests of justice; RMV may (and shall unless judge recommends otherwise) revoke license for 60 days or, for subsequent offenses within 3 years, for 1 year, subject to reinstatement after investigation; RMV may revoke registration if defendant is owner or has exclusive control of vehicle. For violations on and after 3/31/07, RMV shall suspend junior operator's license or learner's permit 90 days for first offense and 1 year for subsequent offense; junior operator must also complete attitudinal change program.)</p>		
3	90/10/A	UNLICENSED OPERATION OF MV c90 §10
<p>On 01/22/2019, not being duly licensed or otherwise excepted by law, did operate a motor vehicle on a way, as defined in G.L. c.90, §1, in violation of G.L. c.90, §10.</p> <p>PENALTY from §20: not more than \$500 for first offense; not less than \$500, not more than \$1,000 for second offense; not less than \$1,000, not more than \$2,000 for third or subsequent offense.</p>		
4	268/34A	FALSE ID INFORMATION, ARRESTEE FURNISH TO LAW ENFORCEMENT c268 §34A
<p>On 01/22/2019 did knowingly and willfully furnishes a false name, Social Security number, date of birth, home address, mailing address or phone number, or other information as may be requested for the purposes of establishing the person's identity, to a law enforcement officer or law enforcement official following an arrest, in violation of G.L. c.268, §34A.</p> <p>PENALTY: house of correction not more than 1 year to run from and after the sentence for the underlying offense; or fine not more than \$1000; or both; and restitution may be ordered for resulting monetary losses suffered by any person whose identity has been assumed.)</p>		

SIGNATURE OF COMPLAINANT X	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK X	DATE
NAME OF COMPLAINANT	A TRUE COPY ATTEST X	DATE

Notice to Defendant: 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.

CRIMINAL COMPLAINT ADDITIONAL COUNTS	DOCKET NUMBER 1911CR000365	NO. OF COUNTS 9	Trial Court of Massachusetts District Court Department 
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COUNT	CODE	DESCRIPTION
5	268/32B	RESIST ARREST c268 §32B

On 01/22/2019 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.


PENALTY: jail or house of correction for not more than 2½ years; or not more than \$500; or both.

6	90/25/D	STOP FOR POLICE, FAIL c90 §25
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On 01/22/2019, while operating or in charge of a motor vehicle, did refuse or neglect to stop when signalled to stop by a police officer who was in uniform or who displayed his or her badge conspicuously on the outside of his or her outer coat or garment, in violation of G.L. c.90, §25.

PENALTY: \$100.

Exhibit A-11

CRIMINAL COMPLAINT ADDITIONAL COUNTS	DOCKET NUMBER 1911CR000365	NO. OF COUNTS 9	Trial Court of Massachusetts District Court Department	
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COUNT	DESCRIPTION
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7	89/4A MARKED LANES VIOLATION * c89 §4A
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On 01/22/2019, while operating upon a way that had been divided into lanes: (1) did fail to so drive that his or her vehicle was entirely within a single lane; or (2) did move his or her vehicle from the lane in which he or she was driving without having first ascertained that such movement could be made with safety; or (3) did operate his or her motorcycle abreast of more than one other motorcycle; or (4) did fail to operate his or her motorcycle single file when passing; or (5) did on a motorcycle pass another motor vehicle other than another motorcycle within the same lane, in violation of G.L. c.89, §4A. (CIVIL ASSESSMENT from §5: \$100.)

NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY.

8	90/9/B UNREGISTERED MOTOR VEHICLE * c90 §9
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NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. On 01/22/2019 did operate, push, draw or tow a motor vehicle or trailer, or being the owner or custodian of a motor vehicle or trailer did permit it to be operated, pushed, drawn or towed or to remain, on a way, as defined by G.L. c.90, §1, without such vehicle or trailer being registered according to law, not being exempted from such requirement by law, in violation of G. L. c.90, §9. (CIVIL ASSESSMENT: \$100; 2nd offense: \$1000.)

9	89/2 PASSING VIOLATION * c89 §2
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NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. On 01/22/2019, while operating a vehicle on a way: (1) upon passing another vehicle traveling in the same direction, did fail to drive a safe distance to the left of such other vehicle; or (2) when about to be overtaken and passed by another vehicle traveling in the same direction on a way of sufficient width for the two vehicles to pass, did unnecessarily obstruct such vehicle; or (3) when about to be overtaken and passed by another vehicle traveling in the same direction in a location where overtaking and passing on the right was not permitted, did fail to give way to the right in favor of the overtaking vehicle upon a visible signal and refrain from increasing the speed of his or her vehicle until completely passed by the overtaking vehicle, in violation of G.L. c.89, §2. (CIVIL ASSESSMENT from §5: \$100.)



LOWELL POLICE DEPARTMENT **ARREST REPORT**

Case No. 2019-0001116A

Supp No. 000

r3. Additional Reports	<input checked="" type="checkbox"/> Arrest Report	<input type="checkbox"/> Accident	<input type="checkbox"/> Domestic	<input type="checkbox"/> Stolen Bike	<input type="checkbox"/> Juvenile Involved	<input type="checkbox"/> Alcohol Involved	<input type="checkbox"/> Prints	Adults	2
	<input checked="" type="checkbox"/> Complaint App	<input type="checkbox"/> Housing	<input type="checkbox"/> Bias		<input type="checkbox"/> Drugs Involved	<input type="checkbox"/> Gang Involved	<input type="checkbox"/> Photos	Juveniles	0

r7. Incident

OPERATE TO ENDANGER	Cnts	Offense Code	r10. Reported Date	r11. Time	r12. Day
	01	90:24	01/22/2019	18:13	TUE

OPERATING W/O LICENSE	Cnts	Offense Code	r13. Occrd From Date	r14. Time	r15. Day
	01	90:10	01/22/2019	18:13	TUE

FAIL KEEP RIGHT OBSTRUCT VIEW	Cnts	Offense Code	r16. Occrd To Date	r17. Time	r18. Day
	01	89:4	01/22/2019	18:13	TUE

FAIL TO STOP FOR POLICE	Cnts	Offense Code			
	01	90:25			

MISC MV OFFENCE	Cnts	Offense Code			
	01	90:			

RESISTING ARREST	Cnts	Offense Code			
	01	268:32B			

WEAPON LAW VIOLATIONS	Cnts	Offense Code			
	01	8600			

UNREGISTERED MV	Cnts	Offense Code			
	01	90:9			

FURNISHING FALSE NAME OR SOCIAL SECURITY	Cnts	Offense Code			
	01	268:34A			

r20. Reporting Officer 1, I.D. PENDER, DAVID ALLEN	87187	r21. Reporting Officer 2, I.D.
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r20. Location of Occurrence MAMMOTH RD / FOURTH AV	r24. Sector A1	r25. Type of Premise HIGHWAY/ROAD/ALLEY
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r21. Reporting Person	r22. Phone	r27. How Received OFCR INITI	r28. Status ACTIVE CASE
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r23. Reporting Person Address	r29. Weather	r30. Weapon / Tools
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VEHICLES / PROPERTY

v1. Vehicle Type TOW YARD	v2. Make FORD	v3. Model F15	v4. Style PU	v5. Type PICKUP	v6. Color GRY
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v7. License No. 101427	v8. State MQ	v9. Veh. Year	v10. VIN No.	v11.
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v12. Value	v13. Value Recovered	v14. OCA Active	v15. OCA Cancel	v16. Tracking No.	v17. Disposition
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INVOLVED PERSONS

n0. Name Type ADULT	n1. PCF No.	n2. Last Name / Business / State of... CAMPBELL	n3. First Name LEON	n4. Middle Name
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n5. Race B	n6. Sex M	n7. Age 35	n8. Date of Birth [REDACTED]	n9. Place of Birth - City, State JAMAICA, JM	n10. Soc Sec No. [REDACTED]	n11. Operator's License No. [REDACTED]	n12. State MA
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n13. Height 5'09"	n14. Weight 170 lbs	n15. Build MEDIUM	n16. Complexion DARK	n17. Eyes BRO	n18. Hair BLK	n19. Facial Hair GOATEE	n20. Marital Status SINGLE
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Involvement :	
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DEFEN/ARRESTEE ADULT OPERATING TO ENDANGER
 DEFEN/ARRESTEE ADULT WEAPON LAW VIOLATIONS
 DEFEN/ARRESTEE ADULT RESISTING ARREST
 DEFEN/ARRESTEE ADULT OPERATING WITHOUT LICENSE
 DEFEN/ARRESTEE ADULT MOTOR VEHICLE CHARGES (M/V)
 DEFEN/ARRESTEE ADULT USE OF FORCE
 DEFEN/ARRESTEE ADULT MARKED LANES VIOLATION
 DEFEN/ARRESTEE ADULT FAIL TO STOP FOR POLICE OFFICER
 DEFEN/ARRESTEE ADULT ALLOW OPER UNREGISTERED M/V
 DEFEN/ARRESTEE ADULT GIVING FALSE NAME\INFO TO OFC SUB ARREST

r1. Submitted By Officer, I.D. PENDER, DAVID ALLEN	87187	r2. Approving Officer's Name, I.D. MALDONADO, FRANCISCO	96587	Page 1
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LOWELL POLICE DEPARTMENT

CONTINUATION PAGE

c1. Case No. 2019-0001116A		c2. Supp No. 000						c10. Reported Date 01/22/2019	c11. Time 18:13	
INVOLVED PERSONS										
n27. Residence Address 1 109 4TH AVE 1ST FLOOR LOWELL, MA 01852								n28. Phone		
n31. Employer and Address CONSTRUCTION, MA								n32. Phone		
n0. Name Type ADULT		n1. PCF No.		n2. Last Name / Business / State of... SMITH			n3. First Name ASHIKO		n4. Middle Name B	
n5. Race B	n6. Sex M	n7. Age 38	n8. Date of Birth 11/14/1980	n9. Place of Birth - City, State FL			n10. Soc Sec No. 067-66-6937	n11. Operator's License No. S20179893		n12. State MA
n13. Height 6'01"	n14. Weight		n15. Build MEDIUM	n16. Complexion DARK	n17. Eyes BRO	n18. Hair BLK	n19. Facial Hair GOATIMUS	n20. Marital Status MARRIED		
Involvement: OTHER PERSON INVOLVE INTERFERE W/POLICE OR FIRE FIGHTER										
n27. Residence Address 1 130 BELMONT AVE SPRINGFIELD, MA								n28. Phone		
NARRATIVE										
<p>On listed date and time, this Officer while assigned to traffic enforcement at the intersection of Mammoth Road and Varnum Ave noticed a gray Ford pickup truck in the left lane coming across the O' Donnell Bridge the left lane is marked left turn only with three signs and also the road painted in the lane saying left turn only. Mr. Campbell who was going about 25 miles an hour in the left lane cut off several motor vehicles that were in the right lane to go straight almost causing a car in the right lane to strike him. The Ford pickup truck went straight across going outbound on Mammoth Rd. I then activated my blue lights and sirens and tried to pull him over but he refused to stop and continued to drive outbound I called the pursuit in but was unable to give the plate number because it was covered with snow. I followed him outbound on Mammoth Rd where Mr. Campbell went around several cars that were driving on the road outbound going into the opposite side of the road causing inbound motor vehicles to move out of his way. He then took a right onto Fourth Ave and continued to drive down the road still at about 25 MPH until he got to 109 Fourth Ave and pulled into the driveway of the house at 109. I then approached Mr. Campbells pickup truck and attempted to speak with him but he refused to open the window and appeared to be reaching for something between the seats. I then got his door open and asked him to step out of the car but he refused and asked me why he had to because I had no right to stop him. At this time, he and Mr. Smith (front passenger) both became very loud and started to argue with this officer and Mr. Campbell refused to give this officer his license, and said he didn't stop because he did not feel safe and he didn't have to stop if he felt that way. I then told him to exit his car because he was under arrest but he refused asking why I was arresting him. While telling him why he was being arrested he kept reaching over to his right between him and Mr. Smith as though he was trying to find something or hide something. I then attempted to get him out of the vehicle but he shoved this officer away; while at the same time, Mr. Smith exited the passenger side of the pickup truck and came over to the driver's side yelling at this Officer, I told Mr. Smith to stand back and I pulled my Taser out and pointed it at Mr. Smith while at the same time trying to get Mr. Campbell out of the truck. While Mr. Smith was grabbing my attention, Mr. Campbell slapped the taser out of my hand causing it to land under the pickup truck. Due to Mr. Campbell's actions and fearing for my safety (being outnumbered as backup had yet to arrive), I threw a strait arm punch at Mr. Campbell striking him in the face while also trying to keep Mr. Smith back from approaching me. I feared that Mr. Smith was going to assault me as he approached and refused to obey my orders. At this time Officer Griffin, arrived and came to help this Officer and ended up struggling with Mr. Smith. I was then able to grab Mr. Campbell out of the pickup truck and place him under arrest.</p>										
r1. Submitted By Officer, I.D. PENDER, DAVID ALLEN				r2. Approving Officer's Name, I.D. MALDONADO, FRANCISCO				Page 2		



LOWELL POLICE DEPARTMENT
SUPPLEMENTAL REPORT

Case 1:19-cv-10219-PBS Document 1-1 Filed 02/01/19 Page 26 of 28

Exhibit A-14

Case No. 2019-0001116A

Supp No. 001

r3. Additional Reports ☒ Arrest Report ☐ Accident ☐ Domestic ☐ Stolen Bike ☐ Juvenile Involved ☐ Alcohol Involved ☐ Prints ☐ Adults 2
☒ Complaint App ☐ Housing ☐ Bias ☐ Drugs Involved ☒ Gang Involved ☐ Photos ☐ Juveniles 0

s7. Incident
DISTURBING PEACE Cnts 01 Offense Code 272:53 s10. Reported Date 01/22/2019 s11. Time 18:13 s12. Day TUE
RESISTING ARREST 01 268:32B s13. Occrd From Date 01/22/2019 s14. Time 18:13 s15. Day TUE
INTERFERE W/POLICE OR FIRE FIGHTER 01 5350 s16. Occrd To Date 01/22/2019 s17. Time 18:13 s18. Day TUE
USE OF FORCE 01 9000
FUGITIVE FROM JUSTICE [Capias (FLA)] 01 276:20A

r20. Reporting Officer 1, I.D. **GRIFFIN, KYLE P** 14748 r21. Reporting Officer 2, I.D. **PENDER, DAVID ALLEN** 87187

INVOLVED PERSONS

n0. Name Type **ADULT** n1. PCF No. n2. Last Name / Business / State of... **CAMPBELL** n3. First Name **LEON** n4. Middle Name
n5. Race **B** n6. Sex **M** n7. Age **35** n8. Date of Birth [REDACTED] n9. Place of Birth - City, State **JAMAICA, JM** n10. Soc Sec No. [REDACTED] n11. Operator's License No. [REDACTED] n12. State **MA**
n13. Height **5'09"** n14. Weight **170 lbs** n15. Build **MEDIUM** n16. Complexion **DARK** n17. Eyes **BRO** n18. Hair **BLK** n19. Facial Hair **GOATEE** n20. Marital Status **SINGLE**

Involvement :
DEFEN/ARRESTEE ADULT OPERATING WITHOUT LICENSE
DEFEN/ARRESTEE ADULT MOTOR VEHICLE CHARGES (M/V)
DEFEN/ARRESTEE ADULT WEAPON LAW VIOLATIONS

n27. Residence Address 1 **109 4TH AVE 1ST FLOOR LOWELL, MA 01852** n28. Phone

n31. Employer and Address **CONSTRUCTION, MA** n32. Phone

n0. Name Type **ADULT** n1. PCF No. n2. Last Name / Business / State of... n3. First Name n4. Middle Name **B**
n5. Race **B** n6. Sex **M** n7. Age **38** n8. Date of Birth [REDACTED] n9. Place of Birth - City, State **, FL** n10. Soc Sec No. [REDACTED] n11. Operator's License No. [REDACTED] n12. State **MA**
n13. Height **6'01"** n14. Weight n15. Build **MEDIUM** n16. Complexion **DARK** n17. Eyes **BRO** n18. Hair **BLK** n19. Facial Hair **GOAT\MUS** n20. Marital Status **MARRIED**

Involvement :
DEFEN/ARRESTEE ADULT RESISTING ARREST
DEFEN/ARRESTEE ADULT INTERFERE W/POLICE OR FIRE FIGHTER
DEFEN/ARRESTEE ADULT DISTURBING THE PEACE
DEFEN/ARRESTEE ADULT USE OF FORCE
DEFEN/ARRESTEE ADULT FUGITIVE FROM JUSTICE

n27. Residence Address 1 **130 BELMONT AVE SPRINGFIELD, MA** n28. Phone

NARRATIVE

On the above listed date and time I, Officer K.Griffin, responded to the area of 4th Ave. and University Ave. to assist Officer Pender who was involved in a motor vehicle stop. During my response Officer Pender did not or was unable to answer multiple hailing calls from dispatch. In addition Officer Pender reported that the suspect vehicle was operating erratically and initially failing to stop.

On arrival my view of the driver and Officer Pender was obstructed by his police cruiser and another individual. However, I could hear all three individuals yelling loudly. The suspect vehicle had come to stop in the driveway of 109 4th Ave. the driver side facing

f1. Submitted By Officer, I.D. **GRIFFIN, KYLE P** 14748 f2. Approving Officer's Name, I.D. **MALDONADO, FRANCISCO** 96587 Page 1

LOWELL POLICE DEPARTMENT

CONTINUATION PAGE

c1. Case No. 2019-0001116A	c2. Supp No. 001	c10. Reported Date 01/22/2019	c11. Time 18:13
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NARRATIVE

the home. The manner in which the vehicle was parked created a narrow ally way between the vehicle and the home itself. Once the driver side door was open the only clear path to Officer Pender was from the rear of the truck.

As I approached the vehicle and Officer Pender, my path to him was impeded by a individual filming the incident and yelling in the direction of Officer Pender whom at this point was attempting to place the driver under arrest. As I attempted to make my way past the individual filming, later identified as Ashiko Smith, he intentionally blocked my path stiffening his body and bracing his legs. At this same time it appeared the physical altercation between Officer Pender and the driver was escalating as he tried to remove him from the vehicle. Given his intentional inference and attempts to prevent my assistance of Officer Pender I forcibly removed Smith and brought him to the ground using my hands. Once on the ground, I was able to gain complete and conclusive control of him. Smith was placed into handcuffs and under arrest.

At this same time Officer Pender was able to remove the driver from the vehicle and place him into handcuffs. It should be noted that during a motor vehicle inventory, conducted post arrest, a large machete was located behind the driver's side seat nearest the center console where Officer Pender had been. While both individuals were handcuffed they continued to yell and scream at officers creating a scene. This loud and aggressive behavior is out of character for the normally quiet neighborhood and only served to draw more individuals to the scene from their homes. As Smith and the driver, Leon Campbell, continued to yell they instigated others into hostile interactions with Officers.

Given the above listed facts and circumstances, including his deliberate interference with a lawful arrest and loud and tumultuous behavior on scene, Smith with was arrested for the listed charges. A criminal complaint application will be submitted with this report. For further details on this arrest please reference the initial arrest report of Officer Pender under this same number. The Machete located in the vehicle was tagged into evidence.

Later in the evening LPD dispatch was contacted by the State of Florida to inform them of an active Capias Warrant in their state for Smith. The warrant was faxed to LPD and Smith will additionally be charged with Fugitive from Justice.

There is nothing further at this time.

Respectfully Submitted,
Officer K.Griffin
748

r. Submitted By Officer, I.D. GRIFFIN, KYLE P	14748	r2. Approving Officer's Name, I.D. MALDONADO, FRANCISCO	96587	Page 2 END
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c1. Case No. 2019-0001116A	c2. Supp No. 000	c10. Reported Date 01/22/2019	c11. Time 18:13
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NARRATIVE

While I was cuffing Mr. Campbell several more Officers arrived and helped Officer Griffin cuff Mr. Smith. The whole time we were arresting them both individuals continued to be loud and out of control causing people to come out and take notice of what was going on.

After both defendants were cuffed and more Officers came to assist/scene secured, I checked the pickup truck driver's compartment area where I had observed Mr. Campbell reaching for something and I found an 18 inch machete type knife.

After clearing the snow off the registration license plate on the truck, I discovered that the plate was a "Morocan Empire" plate # 101427. When I checked the status on the registration it was ascertained that the registration was not valid and that the vehicle had no active insurance. It was also ascertained that Mr. Campbell had no active license to operate a motor vehicle in Massachusetts. The information on the operator and truck were determined by the Lowell Police Dispatcher.

Both individuals were then transported to station via wagon and Mr. Campbell was issued citation number T1547703 and T1547704 and the truck which came back unregistered was towed to Lowell Fleet tow yard.

While being booked Mr. Campbell refused to identify himself. He stated that he was Mr. Bey and he refused to cooperate with the booking officer.

r1. Submitted By Officer, I.D. PENDER, DAVID ALLEN	87187	r2. Approving Officer's Name, I.D. MALDONADO, FRANCISCO	96587	Page 3 END
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